



Docket No. RPC 0557 PUS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: William P. Apps
Serial No.: 09/780,073
Group Art Unit: 3727
Filed: February 9, 2001
Examiner: S. Castellano
For: NESTABLE CAN TRAY WITH CONTOURED WALL STRUCTURE

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NOTICE OF APPEAL

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby appeals from the Examiner's Final Rejection of claims 1-28, mailed April 2, 2003. Applicant previously filed a Notice of Appeal and fee on June 7, 2002 and an Appeal Brief and fee on November 18, 2002. In response, the Examiner reopened prosecution, citing new references and leading to this appeal. Therefore, no Appeal fee should be due, but if any additional fees or extensions are required, please use Deposit Account No. 50-1984.

Respectfully submitted,

Konstantine J. Diamond
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Los Angeles, California 90023
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Fax (323) 269-8506

Dated: May 2, 2003

CERTIFICATE OF MAIL

I hereby certify that the enclosed **Notice of Appeal** is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on May 2, 2003.

Konstantine J. Diamond

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